

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 16

BY STATE AFFAIRS COMMITTEE

AN ACT

RELATING TO THE INFORMATION TECHNOLOGY RESOURCE MANAGEMENT COUNCIL AND THE
DEPARTMENT OF ADMINISTRATION; AMENDING SECTION 67-5745C, IDAHO CODE,
TO ELIMINATE THE REQUIREMENT OF MAINTAINING AN INVENTORY OF INFORMATION
TECHNOLOGY SYSTEMS OF STATE AGENCIES; AND AMENDING SECTION 67-5747,
IDAHO CODE, TO CLARIFY REFERENCES TO COMMUNICATIONS EQUIPMENT.

Be It Enacted by the Legislature of the State of Idaho:

SECTION 1. That Section 67-5745C, Idaho Code, be, and the same is hereby
amended to read as follows:

67-5745C. GENERAL POWERS AND DUTIES OF THE COUNCIL. The council shall:

- (1) Review and evaluate the information technology and telecommunications systems presently in use by state agencies;
- (2) Prepare statewide short-range and long-range information technology and telecommunications systems plans to meet the needs of state agencies;
- (3) Within the context of its strategic plans, establish statewide information technology and telecommunications policies, standards, guidelines, conventions and comprehensive risk assessment criteria that will assure uniformity and compatibility of such systems within state agencies;
- (4) Recommend and coordinate the use and application of state agencies' information technology and telecommunications resources;
- (5) Review and approve large-scale information technology and telecommunications projects including, but not limited to, risk assessment methodologies used by state agencies using council risk assessment criteria, for state agencies;
- (6) Review state agencies' compliance with statewide information technology and telecommunications systems plans;
- (7) Recommend cost-efficient procedures for state agencies' acquisition and procurement of information technology and telecommunications systems;
- (8) Upon request, provide technical expertise to state government and any other governmental entity;
- (9) Maintain a continuous and comprehensive inventory of ~~information technology and telecommunications~~ systems within state agencies;
- (10) In accordance with statutes governing the availability or confidentiality of public records and information, establish guidelines for the accessing of public information by the public;
- (11) On an annual basis, publish a report of the activities of the council for provision to the governor and the legislature;
- (12) Recommend the enactment or promulgation of any statutes or rules necessary to carry out the statewide information technology and telecommunications systems plans;

1 (13) Enter into contracts for professional services and assistance not
2 otherwise available in state government;

3 (14) Encourage and promote the development and growth of the infor-
4 mation technology industry in the state in accordance with sound business
5 principles and practices;

6 (15) Encourage and promote cooperative information technology efforts
7 and activities between the state, private enterprise and the public;

8 (16) Encourage and support education and training opportunities relat-
9 ing to information technology and telecommunications; and

10 (17) Perform any additional functions consistent with the purpose of
11 this act which are necessary and appropriate for the proper conduct of the
12 council.

13 SECTION 2. That Section 67-5747, Idaho Code, be, and the same is hereby
14 amended to read as follows:

15 67-5747. POWERS AND DUTIES. (1) The department of administration is
16 hereby authorized and directed:

17 (a) (i) To control and approve the acquisition and installation of all
18 information technology and communications equipment and facili-
19 ties for all departments and institutions of state government, ex-
20 cept as provided in subparagraphs (ii), (iii) and (iv) of this sub-
21 section;

22 (ii) To coordinate the acquisition and installation of all
23 information technology and communications equipment and facili-
24 ties for the institutions of higher education and the elected
25 officers in the executive department;

26 (iii) To coordinate the acquisition and installation of all
27 information technology and communications equipment and facili-
28 ties for the legislative and judicial departments;

29 (iv) Provided however, that the acquisition and installation of
30 all public safety and microwave equipment shall be under the con-
31 trol of the military division.

32 In approving or coordinating the acquisition or installation of
33 information technology and communications equipment or facilities,
34 the department shall first consult with and consider the recommenda-
35 tions and advice of the directors or executive heads of the various
36 departments or institutions. Any acquisition or installation of any
37 information technology and communications equipment or facilities that
38 is contrary to the department's recommendation, or is not in harmony
39 with the state's overall plan for communications and information shar-
40 ing, shall be reported in writing to the governor and the legislature.

41 (b) To receive and hold, upon order of the board of examiners, physical
42 custody and control of such existing information technology and commu-
43 nications equipment and facilities utilized by or in the possession of
44 any department or institution, as may be necessary to carry out the pur-
45 poses of this chapter.

46 (c) To provide a system of information technology and communica-
47 tions systems for all departments and institutions of state govern-
48 ment. The department may prescribe adequate rules for the use of any
49 communications related equipment and facilities now in use or hereafter

1 made available. Funds received pursuant to this subsection shall be
2 appropriated for payment of information technology, communication and
3 telephone charges incurred by the various agencies and institutions of
4 state government.

5 (d) To provide a means whereby political subdivisions of the state may
6 utilize the ~~state~~ information technology and communications system,
7 upon such terms and under such conditions as the department may estab-
8 lish.

9 (e) To accept federal funds granted by congress or by executive order
10 for all or any of the purposes of this chapter, as well as gifts and dona-
11 tions from individuals and private organizations or foundations.